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Patent Docket P1003R1C1D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Robert Akita et al.  Serial No.: 09/825,584  Filed: April 4, 2001	Group Art Unit: 1642  Examiner: Christopher Yaen  Confirmation No: 3718  Customer No: 09157
Title: ISOLATED NUCLEIC ACIDS, VECTORS AND HOST CELLS ENCODING ErbB3 ANTIBODIES (AS AMENDED)	<b>EXPRESS MAIL LABEL NO.: <u>EV 351 927 052 US</u></b>  <b>DATE OF DEPOSIT: <u>MAY 4, 2004</u></b>

AMENDMENT UNDER 37 C.F.R. §1.111

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This document is responsive to the Office Action mailed November 5, 2003 (Paper No.14) for which a three-month period for response was given. This response is timely filed with a Petition and fees for Three-Month Extension of Time and fees to include May 5, 2004. In view of the discussion provided, reconsideration and allowance are respectfully requested.

**Claims** are listed beginning on page 2 of this paper.

**Remarks** begin on page 5 of this paper.



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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Robert Akita et al. Serial No.: 09/825,584 Filed: April 4, 2001 For: ISOLATED NUCLEIC ACIDS, VECTORS AND HOST CELLS ENCODING ErbB3 ANTIBODIES (AS AMENDED)	Group Art Unit: 1642 Examiner: Christopher Yaen Confirmation No: 3718 Customer No: 09157 EXPRESS MAIL LABEL NO.: <u>EV 351 927 052 US</u> DATE OF DEPOSIT: <u>MAY 4, 2004</u>
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AMENDMENT TRANSMITTAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Additional Fees
Total	30	-	31	0	18	\$0.00
Independent	4	-	5	0	86	\$0.00
___ 0 Multiple dependent claim(s), if any					290	\$0.00
Total Fee Calculation						\$0.00

      X        
            
      X      

No additional fee is required.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$. **A duplicate copy of this transmittal is enclosed.**  
Petition for Extension of Time is enclosed.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,  
GENENTECH, INC.

Date: May 4, 2004

By:

Deirdre L. Conley, Ph.D.

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